

JS-6

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

STEPHANIE FLORES, an  
individual

Plaintiff,

v.

CBEYOND, INC., a Delaware  
Corporation; and DOES 1 through  
100, inclusive,

Defendants.

CASE NO. CV11-7883-R (CW<sub>x</sub>)

**JUDGMENT IN FAVOR OF  
DEFENDANT AFTER GRANTING  
MOTION FOR SUMMARY  
JUDGMENT AGAINST PLAINTIFF**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

After consideration of the papers in support of and in opposition to defendant Cbeyond Communications, LLC's ("Cbeyond") motion for summary judgment against plaintiff Stephanie Flores ("Flores") and the oral argument of counsel, this Court orders summary judgment in favor of Cbeyond and against Flores as follows:

1. Judgment is granted in favor of Cbeyond on Flores' first cause of action for wrongful termination in violation of public policy under a stress disability theory.

2. Judgment is granted in favor of Cbeyond on Flores' first cause of action for wrongful termination in violation of public policy under a need to take medical leave theory.

1 Based upon the foregoing, it is hereby adjudged and decreed that judgment  
2 be entered in favor of Cbeyond and against Flores on each claim set forth in the  
3 Complaint. It is further adjudged and decreed that Cbeyond may recover its costs.  
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5 IT IS SO ORDERED AND ADJUDGED.

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7 Dated: June 11, 2012

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9 U.S. DISTRICT COURT JUDGE  
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**PROOF OF SERVICE**

I, Darryl M. Jones, declare:

I am a citizen of the United States and employed in Los Angeles County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 6300 Wilshire Boulevard, Suite 1415, Los Angeles, California 90048. On May 29, 2012, I served a copy of the within document(s):

**[PROPOSED] JUDGMENT FOR DEFENDANT AFTER GRANTING OF  
MOTION FOR SUMMARY JUDGMENT OR, IN THE ALTERNATIVE,  
PARTIAL SUMMARY JUDGMENT AGAINST PLAINTIFF**

X by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set forth below.

Joseph M. Lovretovich, Esq.  
Ellen E. Cohen, Esq.  
Jennifer A. Lipski, Esq.  
Law Offices of Joseph M. Lovretovich  
5941 Variel Avenue  
Woodland Hills, California 91367  
Telephone: (818) 610-8800  
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*Attorneys for Plaintiff Stephanie Flores*

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on May 29, 2012, at Los Angeles, California.

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Darryl M. Jones